

November 29, 2001

Hon. Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Re: New Nonprovisional Continuation Patent Application
under 37 CFR §1.53(b) in U.S.
Applicant(s): LUND, et al.
Title: INHIBITION OF INVASIVE REMODELLING
Attv's Docket: LUND=1A

Sir:

1. [X] The present nonprovisional application is a [X] Continuation
[] Divisional [] Continuation-in-part of prior application
No. 09/319,464. **This application is not a CPA.** The prior
application is not being abandoned in favor of this
application.
[X] Incorporation By Reference. The entire disclosure of the prior
application, from which a copy of the oath or declaration is
supplied herewith, is considered as being part of the
disclosure of the accompanying application and is hereby
incorporated by reference therein.
2. Attached herewith is the above-identified nonprovisional application
under 37 CFR §1.53(b) for Letters Patent including:

[X] Specification (80 pages), claims (8 pages) and abstract (1
page). The [X] specification [] claims and [] abstract are
copies of those filed in prior application no. 09/319,464.
[X] 16 Sheets Drawings (Figures 1-16).
[] Formal [X] Informal
[X] Figs. 1-16 of the drawings are copies of those filed in
prior application no. 09/319,464.
[] Figs. _____ of the drawings are new.
[X] Declaration and Power of Attorney (2 pages)
[] Newly executed [X] Copy from prior appl. no. 09/319,464
[X] Preliminary Amendment
[X] Sequence Listing (1 page)
[] Information Disclosure Statement with () references
[X] PTO-1449 or PTO-892 forms from prior application(s)
[] A verified statement to establish small entity status under 37
CFR §1.9 and 37 CFR §1.27
[X] A verified statement claiming small entity status was filed on
August 9, 1999 in prior application no. 09/319,464. Status is
still proper and desired.

If no declaration is attached, or the basic filing fee is not paid, accord this application a filing date, and notify counsel pursuant to 37 CFR §1.53(f).

[X] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$583.00 is attached:

[X] The filing fee calculated as follows:

CLAIMS AS FILED					
FOR	No. FILED	Base Number	No. EXTRA	RATE	BASIC FEE
					\$740.00
TOTAL CLAIMS	39	-20	19	x 18 =	\$342.00
INDEPENDENT	4	-3	1	x 84 =	\$ 84.00
[] First presentation of multiply dependent claim			280	x 280 =	\$
Reduction by 1/2 for filing by small entity					-\$583.00
			TOTAL FILING FEE		\$583.00

[X] Return Receipt Postcard (in duplicate)

3. The following inventor(s) were named in the prior application:

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(The latest inventor signed \$1.63 Declaration in the parent application or its predecessors is hereby incorporated by reference. In the event of discrepancy between the Declaration and the list above, the Declaration controls and the list above is amended accordingly.)

[XX] The inventors of the present application are the same as those on the prior application.

[] Please delete the following inventors who were named on the prior application, but are not inventors of the invention being claimed in the present application:_____

[] The following additional inventors are to be named on the instant application: _____

09/319,464

4. [X] The benefit under 35 USC §119 is claimed of the filing date of: Application No. 1402/96 in Denmark on December 6, 1996. A certified copy of said priority document was filed in progenitor case 09/319,464.
5. [] Amend the specification by inserting, immediately after the title, the sentence:
6. [X] Certain documents were previously cited or submitted to the Patent and Trademark Office in the following prior application 09/319,464, which is relied upon under 35 USC §120. Applicants identify these documents by attaching hereto one or more form PTO-1449 and/or form PTO-892 listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

While an IDS filed under §1.97 must contain a "list of all patents, publications or other information submitted for consideration by the Office", see §1.98(a)(1), the only requirement for the list is that it provide the information set forth in §1.98(b). There is no requirement that a form PTO-1449 be used (MPEP §609 merely says that use of this form is "encouraged") and no prohibition on submitting a copy of a form PTO-1449 or form PTO-892 from a prior case. Indeed, the re-use of such forms is desirable as it avoids error in transferring the information, and evidences that the reference was considered in a prior application. A previously accepted PTO-1449, or an examiner-prepared PTO892, necessarily complies with §1.98(b).

7. If reliance is made on a declaration filed in a prior application, then

[X] The undersigned attorney of record hereby revokes the powers of attorney of:

XX NICK S. BROMER, Reg. No. 33,478

- [] The undersigned attorney of record hereby appoints associate power of attorney, to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith to:

XX JAY M. FINKELSTEIN, Reg. No. 21,082

